

IN THE UNITED STATES COURT
for the
WESTERN DISTRICT OF OKLAHOMA

United States

Plaintiff

vs

Jerry Drake Varnell

Defendant

Case No.: M-17-368-STE

Amicus Brief

- 1 This is to clarify certain points essential for understanding for proper disposition of this case. Below are listed three items which are referenced to in this brief:

1) Impossibility as a Defense to Criminal Attempt, Hellmut A. Erwing, 17 Sw L.J. 461 (1963) <http://scholar.smu.edu/smulr/vol17/iss3/8>

2) wikipedia on-line Encyclopedia article on "Scientific Controls"

3) wikipedia article on Orwellian "Doublethink"

- 2 The U.S. Marshal Service has been sent a letter regarding the citizens arrest of Complainant in this case. This should be equivalent to

noticing the U.S. Attorney.

- 3 The FBI Director and Senator Portman were sent letters regarding docking of FBI agents' pay.
- 4 The important thing to understand about this case is that what the Complainant ("FBI") is doing here with their activity involving the Defendant is not a legitimate reporting of some alleged "crime" they say they observed, but rather a poor reporting on some even worse psychological testing/experimentation administered to the Defendant ("Jerry Varnell") to assess some psychological trait or supposed psychological trait which they call "predisposition", such as, to blow something up.
- 5 Involved legal discussions and proceedings such as for example are described in the above reference on legal impossibility are not relevant here. This sort of treatment is only applicable to naturally occurring life. Here, the tester or experimenter becomes part of the situation under study, which inevitably introduces bias and distortions and alters what one is trying to assess. The proper set of rules, standards, and procedures which in contemporary accepted usage necessary for doing credible work is called "Scientific Controls", not "Title 18 of the United States Code".
- 6 The form of psychological testing being employed here is probably the second most common kind: where a model or simulation of something is presented to the test subject, using simulated but realistic-appearing element(s), and the subject's response is assessed. The most popular form of psychological testing is probably the questionnaire.
- 7 The Complainant falsely implies and asserts in their report ("complaint") that their test is fully equivalent to real life and can be

treated the same. It has been found by long experience that it is impossible to fully isolate what is making the test or measurement (here, "FBI") from what is being assessed (here, Defendant). This has been determined to be generally true so that the principle now has the status of scientific law. This is as well known to any competent and credible worker in fields of testing and experimentation as is something subject to Judicial notice obvious to a Judge.

- 8 Development in this area has been one of the main areas of progress in human understanding since the late Middle Ages. Since scientific/medical methods are being employed, scientific/medical standards ("Scientific Controls") must be adhered to if the results of such work are to be ascribed any legitimacy and credibility elsewhere in society. Even the best personal efforts of conscientious researchers have, for reasons still not fully understood by modern science, been found to be generally inadequate to produce reliable results without adherence to Scientific Controls. In any case, these methods are disqualified for any such use as the FBI tries to put them, which is deliberately trying to get other people in trouble with the law.
- 9 The above referenced Wikipedia article on the subject of Scientific Controls is not enough to enable someone to go ahead just on the basis of that information alone, but the article does give a good "executive summary" of the subject for those hitherto unaware of the existence and importance of the subject. It is meaningless and erroneous to say that a test or experiment and real life are the same because the only difference is in the reality of some crucial element (here, a "bomb"). While one may not be cognizant of what the difference may be, one can be confident in knowing that there may be something important there which can markedly influence the results. Particularly in cases like these where there can be adverse consequences for an actual person, this has to be taken into account, and proper disposition of the case has to take into account the likely existence of what is not known.

1. The first paragraph of the first section of the first article of the
 constitution of the State of New York, which is entitled "Of the
 Legislature," and which is contained in the first section of the
 first article of the constitution, is as follows: "The Legislature
 shall consist of a Senate and an Assembly." The second paragraph
 of the first section of the first article of the constitution is
 as follows: "The Senate shall be composed of twenty-four
 members, who shall be elected by the qualified electors of the
 State, and shall hold office for a term of two years, and shall be
 eligible for re-election."

2. The second paragraph of the first section of the first article of the
 constitution of the State of New York, which is entitled "Of the
 Legislature," and which is contained in the first section of the
 first article of the constitution, is as follows: "The Assembly
 shall be composed of fifty members, who shall be elected by the
 qualified electors of the State, and shall hold office for a term
 of two years, and shall be eligible for re-election." The third
 paragraph of the first section of the first article of the
 constitution is as follows: "The members of the Senate and the
 Assembly shall be elected by the qualified electors of the State,
 and shall hold office for a term of two years, and shall be
 eligible for re-election." The fourth paragraph of the first
 section of the first article of the constitution is as follows:
 "The members of the Senate and the Assembly shall be elected by
 the qualified electors of the State, and shall hold office for a
 term of two years, and shall be eligible for re-election."

3. The third paragraph of the first section of the first article of the
 constitution of the State of New York, which is entitled "Of the
 Legislature," and which is contained in the first section of the
 first article of the constitution, is as follows: "The members
 of the Senate and the Assembly shall be elected by the qualified
 electors of the State, and shall hold office for a term of two
 years, and shall be eligible for re-election." The fourth
 paragraph of the first section of the first article of the
 constitution is as follows: "The members of the Senate and the
 Assembly shall be elected by the qualified electors of the State,
 and shall hold office for a term of two years, and shall be
 eligible for re-election." The fifth paragraph of the first
 section of the first article of the constitution is as follows:
 "The members of the Senate and the Assembly shall be elected by
 the qualified electors of the State, and shall hold office for a
 term of two years, and shall be eligible for re-election."

- 10 The FBI's report and entire activity engaged in with the Defendant is so faulty and inadequate in form, content, and purpose that it would be summarily disqualified for even such lesser use as a college thesis or published research paper in a reputable peer-reviewed journal, let alone using it for something possibly adverse to the test subject, like getting them in trouble with the law.
- 11 Furthermore the ones running these tests in the employ of the FBI are totally incompetent and unqualified to do this work because they literally don't know what they are doing. What they are doing is described here. Also, ~~object~~ objectivity here is impossible because of their vested interest in obtaining a particular outcome, which is to try to use it to ensure employment for themselves; conscripting human fodder to feed the Justice Department's vertically-integrated, prison-based human trafficking operation.
- 12 What the FBI doesn't tell you in their report is more important than what they do tell you. This applies to both the essential nature of what they claim to be doing and to the facts and details of the particular case. Regarding the latter, what those facts and details might be, we don't know. They don't say. And the other side may not know what questions to ask.
- 13 This pattern of the Administrative Branch of government (here, "Justice Department", of which the FBI is a part) perpetrating fraud upon the Judicial Branch of government is long-established and not unexpected. For example, their DNA testing program, which they got the legislative branch of government to soak the U.S. taxpayer billions of dollars to have developed for them, is a typical Justice Department fraud. The basic methods of DNA analysis are scientifically sound, but their administrative system is patently illegal under U.S. law. In Maryland vs King (2015), to obtain a ruling from the U.S. Supreme Court ostensibly upholding the legality of DNA testing, they had presented to the Court a rigged

Case where both sides argued only about aspects of the issue which were plainly legal. Again, here, as with the Jerry Varnell case presently at bar, it is what they don't tell you that is more important than what they do choose to divulge, to serve their own agenda. Furthermore the very idea of applying a scientific subject like DNA analysis to a political use like "crime detection" is fatally flawed from the outset because the actual field and laboratory work done in this application when reducing principles to practice would have to be performed by government employees. Science and politics do not mix. Government people lack the basic character trait of personal integrity necessary to obtain meaningful results from scientific work being used for political purpose. Worse, DNA evidence is very easy to fake, such as for the political purpose of incriminating innocent people. They don't tell you about that either. The CODIS system for forensic DNA analysis which they have had developed for them by enslaved scientists has fundamentally built into it provision for on-the-spot easy DNA faking via use of inexpensive, disposable, quick & easy to use, inexpensive DNA faking field kit for salting evidence to test positive for any selected CODIS identification number, including those for possibilities not even in the system, at any stage of evidence planting, collecting, or storage. To speculate as to what these political not scientific types could be using it for, experience and logic indicate that the most likely possible use would be for something similar to what they are known to be doing already; for planting fake DNA evidence to persecute people who they figure are guilty of something somehow anyway, since they figure they don't need a judge to know that, they all do; just like they are planting fake bomb evidence on people like Jerry Varnell, Defendant in this case, on hundreds or thousands of others, in hundreds or thousands of near-identical cases. Some of those cases include: Brandon Baxter, Douglas Wright, Connor Stevens, Joshua Stafford, Anthony Hayne, Terry Loewen, John Booker, Alexander Blair.

- 14 As to the personal character of the FBI agents who do this sort of fraudulent work, they are derived from the same class of disreputable persons from which we have the hustlers, the sharpers, the swindlers,

vandals, saboteurs, pimps, pickpockets, carnies, drug dealers, thumb-breakers, corruptors of youth and scam operators of every type and description. A study should be made to try to correlate the decline of pool halls, bowling alleys, carnivals, road houses, secret societies, parlors, and other meeting places for persons of ill repute and their victims, with the integration into contemporary general society of what is basically the same thing - degenerate scum inhabiting government and corporation buildings, complete with regular paycheck, taxes, liberal arts college degree, tin badge, social security, pension, medical insurance, car, house mortgage, and credit cards.

- 15 The way the FBI does things, it is like a fire marshal who takes their example of how to operate from the United States Department of Justice. Just go around looking for potentially combustible situations and try to set them on fire. This procedure is a model of efficiency and accuracy. It not only 100% guaranteed correctly identifies actual combustible situations (no arguing with the fire marshal about this, if it works) but also eliminates the problem thus found in the process.

The Others

- 16 Then, there are the others in this study. Yes, there are others, many others. The Complainant's report gives no mention of these. The others are of two kinds: One is the group who got noticed and tested by the FBI in a manner similar to Defendant and were corrupted. The other is the group who were tested and failed to be corrupted by the FBI. Discussion of these other cases in the test group might have been helpful in interpreting their findings in the case of Defendant Jerry Varnell, such as for purpose of academic discussion. According to the procedures of Scientific Controls, comparison with a control group is highly desirable, and while implementing full rigorous treatment of the test situation might be a bit involved and cumbersome, comparison and discussion of this case along with and in the context of the others, might have been helpful in lieu of

an actual control group.

- 17 Besides these test subjects who happened to have come to the attention of the FBI (and there were at least five hundred of these according to an article in the Wichita Eagle newspaper), there are more who are even more interesting and problematical. These are the many more who are similarly inclined as the defendants in all these cases but are unknown to the FBI. Logically, the number in this group must be far greater than five hundred. The methodology the FBI uses to detect these kinds of persons hardly constitutes any kind of efficient and comprehensive "dragnet". A study of some of these other cases shows their approach to be pretty much random and haphazard, with the efficiency of a tattered old fisherman's net which has much more open space than remaining shreds which might snag some hapless stray unlucky fish somewhere.
- 18 IF these teeming throngs of ~~latent~~ alleged latent terrorists of whom we have no idea who they are, but whose fact of their existence we can logically deduce, were a real threat, we would expect to see some sign of their alleged nefarious diabolical terrorist plots. In fact, for all their numbers, we see practically none of this. There is no epidemic of banks being blown up, or bridges, military bases, airports, courthouses and other government office buildings being bombed or having giant airplanes crashed into them. Such incidents occur very rarely and when they do, the perpetrators would not have been detected beforehand by the hokey methods that the FBI uses.
- 19 The inevitable logic of this point discredits the FBI's whole program, of which the present case is a part. In fact, it can be sensibly asserted that anyone silly enough to be caught by the FBI is less likely than average not more likely to pose any sort of real threat in acting alone. This explains why the FBI has been getting so many false positives in their testing results.

20 what the Defendant Jerry Varnell did here, viewed with the rigorous objectivity appropriate to the situation considering possible consequences to the Defendant, was not illegal. If it were illegal, the Complainant along with his agent and other accomplice co-conspirators could be prosecuted as accomplices. They are all in the clear; it is allowable for people to run psychological tests on other people so long as they obey the rules regarding safety and applicability of test results. Where the Complainant got into trouble was in the obtaining of the arrest warrant by illegal means, for illegal purpose.

21 The above, including papers previously filed with this Court, outlines the essence of why the prosecution's case is faulty and should be dismissed. Going on beyond basic principles and proceeding to implement legal process in formal, operational fashion, this can be accomplished by coming at it from any of various directions. For example:

- 1) The Defendant could invoke his Sixth Amendment Constitutional rights at trial and subpoena production of the evidence which the prosecution claims exists and used their claim, under oath, to obtain the arrest warrant (Orwellian "Doublethink", referenced above).
- 2) The Defendant could invoke his Six Amendment Constitutional rights at trial and subpoena the Complainant to testify as witness. If the Complainant is still at large and a fugitive from the law pursuant to his arrest for perjury in the case, he could not take the oath to be sworn in under Rule 603 of the Federal Rules of Evidence, and this would force a mistrial.
- 3) Defendant could point out to the Court that Complainant's activity in this case is governed by the laws of Scientific Controls, not Title 18 United States Code and Code of Criminal procedure, and action against him is inappropriate in this venue.
- 4) Defendant could point out that Complainant is the Devil, or

[illegible][illegible]

1. The first of these is the fact that the
 2. of the law is not a mere statement of
 3. of the law, but a statement of the law
 4. of the law, and the law is not a mere
 5. of the law, but a statement of the law

I have been thinking of you a great deal lately, and
 wondering how you are getting on. I hope you are
 well and happy. I have been very busy lately,
 but I will try to write to you more often.
 I am sure you will understand me.
 I am your affectionate friend,
 John Smith

* I have believed that I could not do the things I have undertaken (8)
 and that I should be able to do things I have not done. It is
 not a matter of doing things, but of doing things in a way
 which is not a matter of doing things, but of doing things in a way

$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$ $\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{y}} \right) = \frac{\partial L}{\partial y}$

acts in the role of the Devil and should be treated as such, by universally accepted definition and understanding of the term "Devil", and motion the Court to dismiss the case on grounds that the Devil lacks legal standing to file an action in court as complainant of an alleged wrongdoing by another which the Devil caused.

- 5) Defendant could for expediency's sake plead guilty by means of a plea agreement and request immediate maximum sentencing to a life sentence of fake punishment, to be clearly specified in the terms of the plea agreement contract. For example, a free lifetime pass to Disneyland and all other Disney theme parks. Or, even better, a free lifetime pass to all National Parks, the Smithsonian Institution, and Area 51.

This disposition of the case should be particularly appealing to the Federal Bureau of Investigation and the Offices of the U.S. Attorneys, since it would enable them to maintain their perfect conviction record for cases of this type, with over five hundred wins and no losses. The disposition would appear on Defendant's record as a felony conviction, which could affect his credit rating, employment, travel or immigration status to other countries, treatment upon sentencing for any future criminal convictions, etc.

- 22 In case the FBI thinks that what they are doing does any good to anyone except themselves, who all get paid regardless of the results, they are just going to have to find another way of going about it than to use procedures which employ elements which desecrate the Court system.
- 23 The Defendant has grounds to sue for damages resultant from false arrest, wrongful imprisonment, malicious prosecution, and conspiracy against rights, but chances of actually recovering anything is ~~slim~~ are slim.

The first important thing I have done since I have been in the
 country is to make a list of the names of the people who are
 living in the country. I have been very busy with this work
 and I have not had time to do anything else. I have been
 very busy with this work and I have not had time to do anything else.

[illegible][illegible]

of some of the same kind as the first, but of a different size. It is
the only one of the kind I have seen. It is of a different size
and is of a different color. It is of a different size and is of a
different color. It is of a different size and is of a different color.

101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919.

Jerry Varnell would do best to try to avoid future such losses by trying to stay out of trouble.

- 24 In case Jerry Varnell in the future goes out and does something which appears that he tried to blow something up on his own, the best place to begin in undertaking to find out exactly what happened would be to figure that the FBI probably staged the whole thing to enable themselves to advertise "We told you so" and thusly argue in favor of having the U.S. taxpayer continue to fund their ridiculous employment, currently at the average rate of \$2700 per day or \$1 million per year per FBI employee.

Douglas Antler
June 28, 2018

Douglas Antler
Director of Chimp Control
1206 Manor Drive
Columbus, OH 43232 - 1639

THE AMERICAN LEGAL VOYEURISTIC SOCIETY

"we like to watch"



Douglas Antler
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Columbus, OH 43232-1639

June 28, 2018

Clerk of Court
U.S. Courthouse
200 NW 4th Street
Oklahoma City, OK 73102

re.: Case M-17-368-STE
United States vs Jerry Varnell

To: Clerk of Court

Enclosed is Amicus Brief for filing in the above referenced case. Also enclosed is a package of reference material in this case for the Judge. All parties in this case have been mailed a copy of all of the enclosed material.

Douglas Antler

Douglas

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